

Development of Fishery Management Plans & Regional Operating Agreements

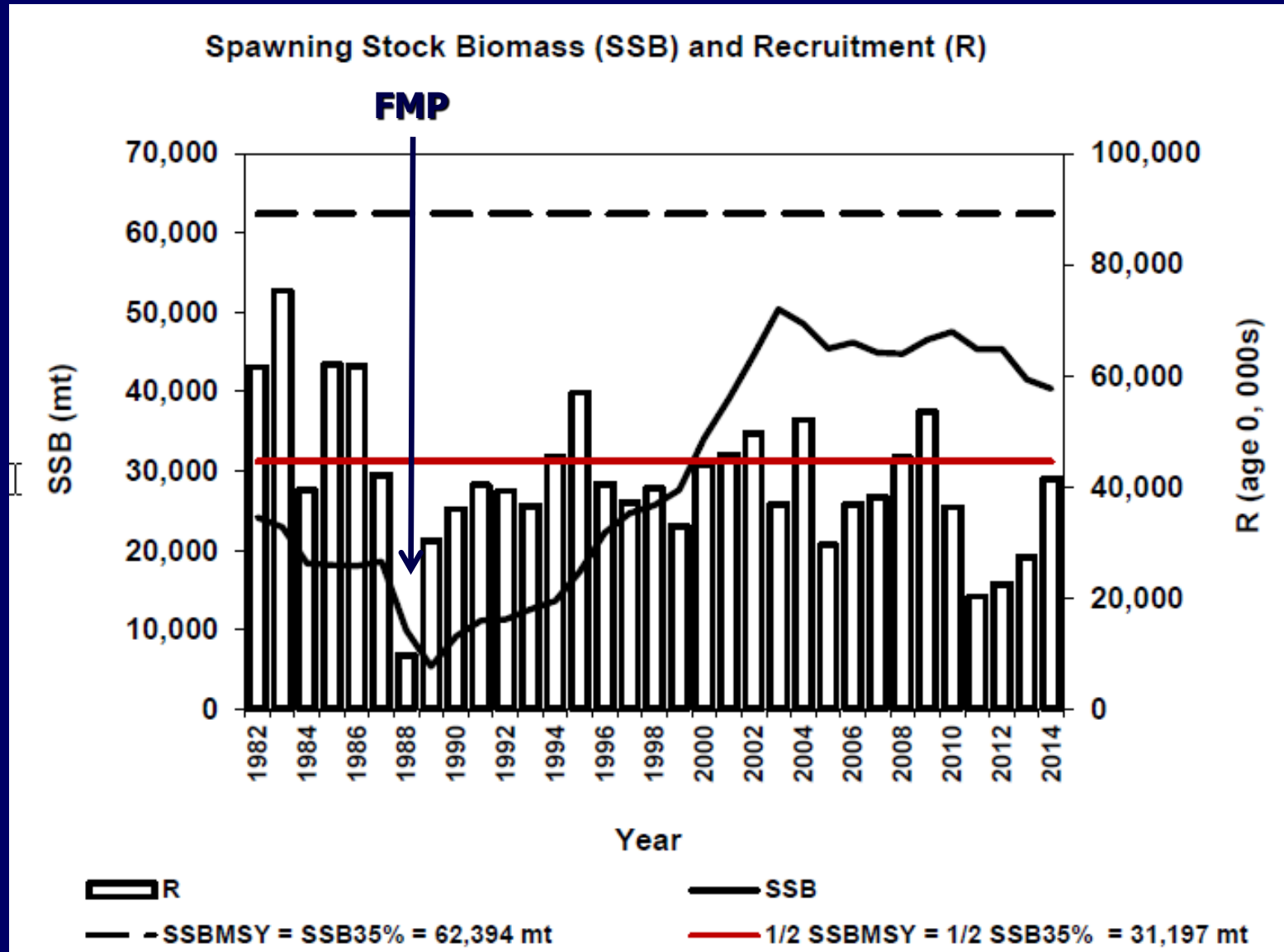


**Council Member Orientation
October 27, 2015
Silver Spring, MD**

Overview

- **Frequent products associated with the fishery management plan process**
- **Common steps to developing these products**
- **Regional operating agreements and other useful process tools**

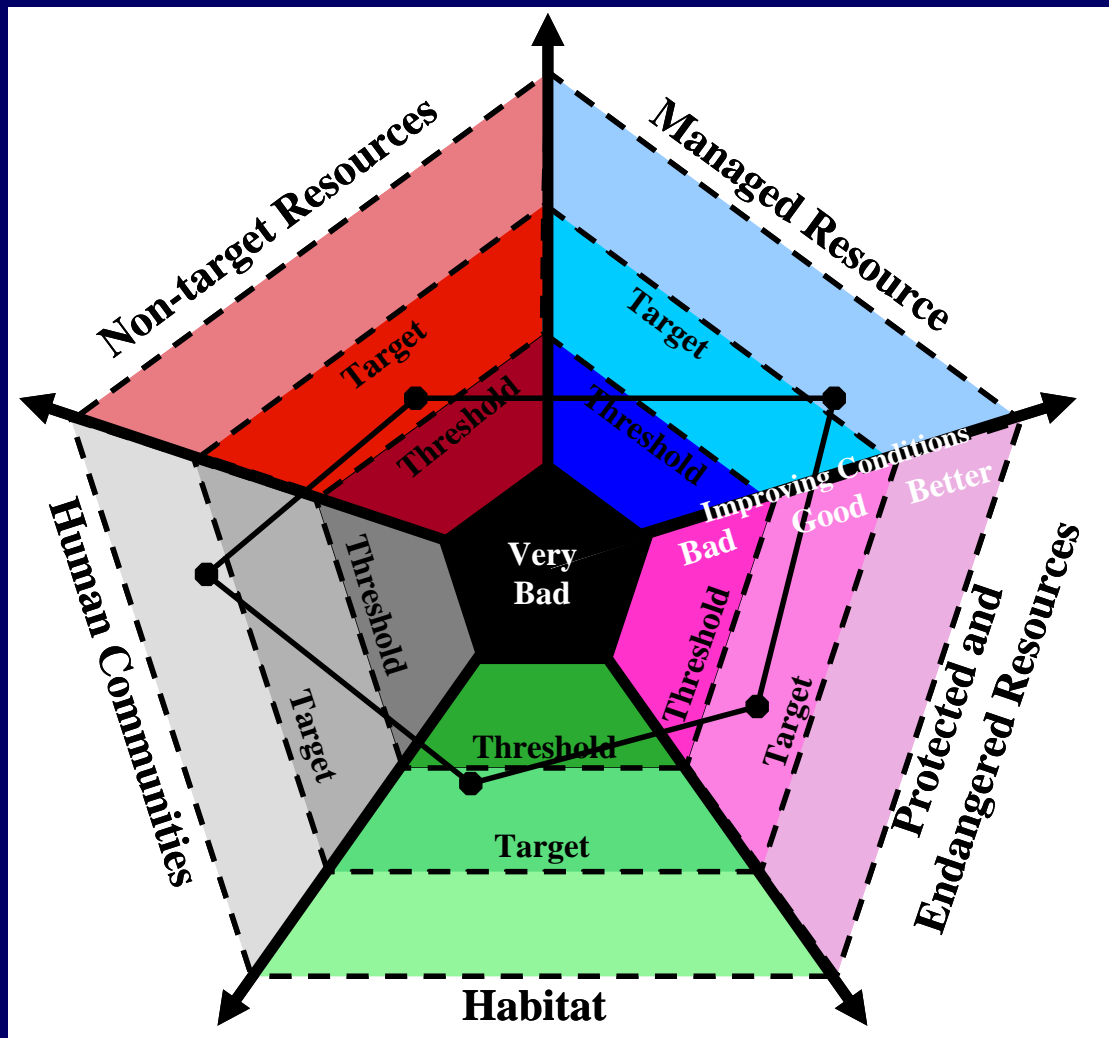
FMP Development



FMP-based Council Products

- **FMP and Amendments to the FMP** - new or novel measures proposed for a fishery
- **Frameworks to the FMP** - already contemplated in the FMP (not novel); tweak to existing measures.
- **Specifications (aka "specs.")** - sets/adjusts existing fishing measures for the upcoming fishing year(s)

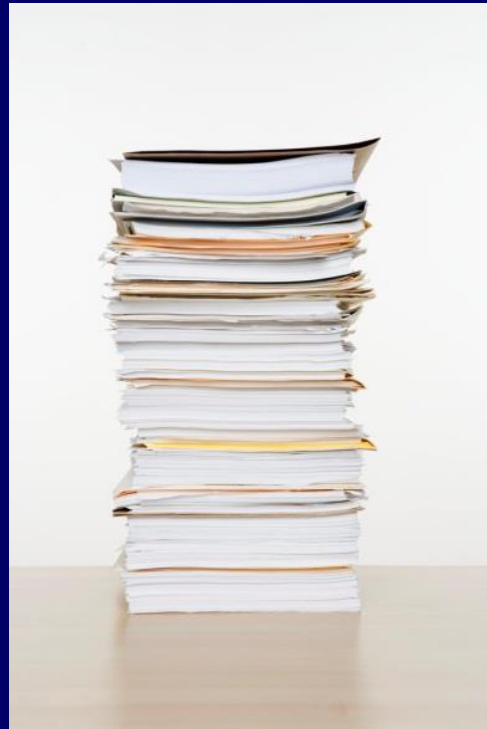
Environmental Impacts Decision Document rel. to Valued Ecosystem Components



Inform
Council, NMFS
Regional
Administrator,
and public of
impacts to
VECs and
tradeoffs
among policy
choices

Council Input on Policy Options

- Recommendations from Council analyzed
- Submitted to NMFS to implement and enforce



Level of Document Analysis Under NEPA

- **Categorical Exclusion (CE)** - administrative types of actions; no environmental impacts
- **Environmental Assessment** - impacts to VECS expected/analyzed, but not significant
- **Environmental Impacts Statement** - significant impacts expected/analyzed

Don't forget the Other Applicable Laws

ESA	“No jeopardy” record-based determination Timing: consultation = 135 days
RFA	Consider Economic Impacts and alternatives Certification: record-based determination
EO 12866	Alternatives, Cost-benefit analysis
APA	Record shows compliance with all law; Notice and Comment; 30-day delay
Others	CZMA, MMPA, PRA, treaty rights, etc.

Collect data to support impact analyses for policy options



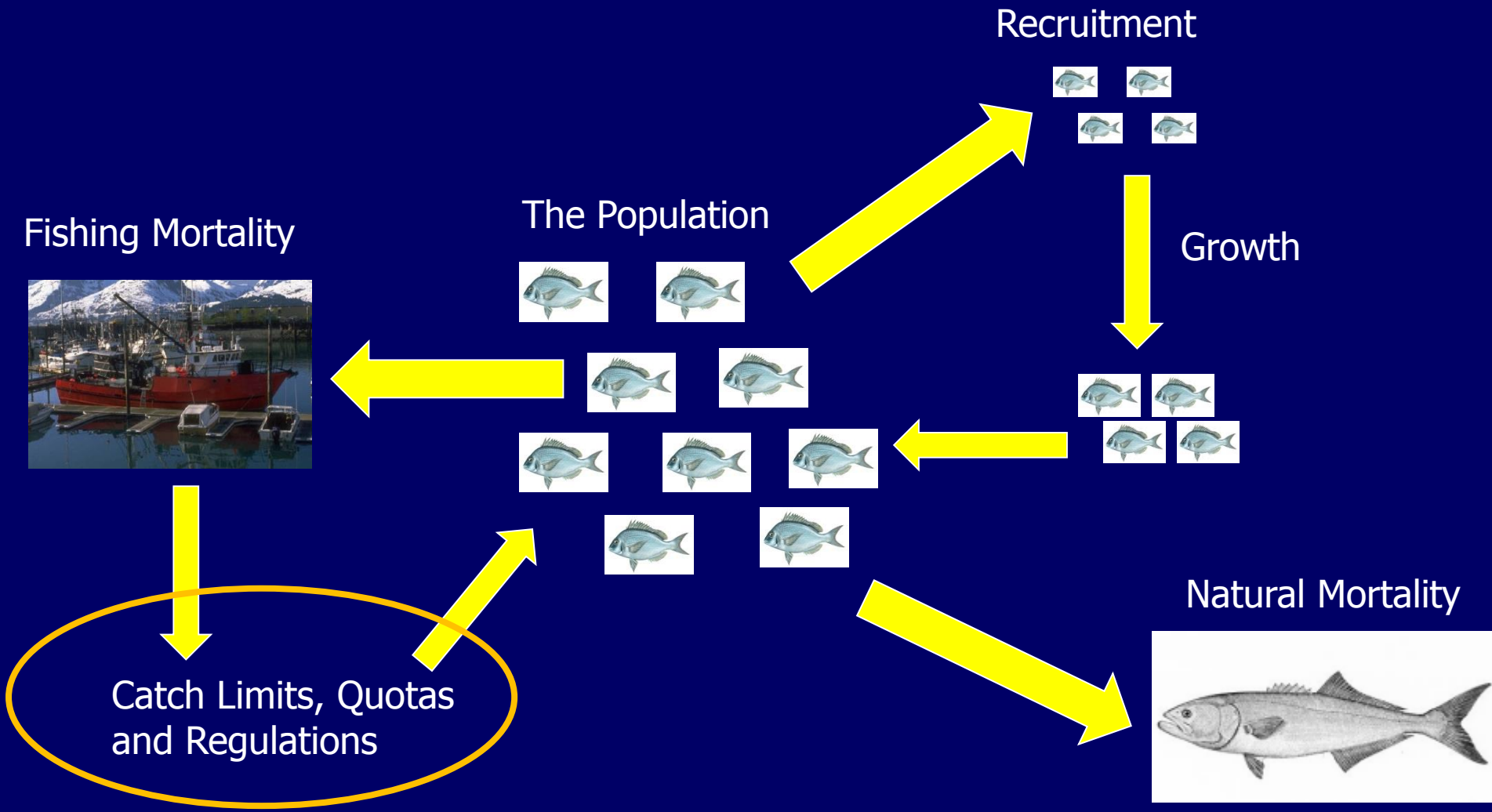
- ❑ **Biological (target, non-target, habitat/ecosystems, PR)**
- ❑ **Commercial landings and bycatch/discards**
- ❑ **Recreational landings and bycatch/discards**
- ❑ **Fishing effort**
- ❑ **Economic**
- ❑ **Social**

Two Examples

- Specifications - Environmental Assessment
- Amendment - Environmental Impact Statement



Specifications Starts with Assessing the Stock



Specifications Decision Process

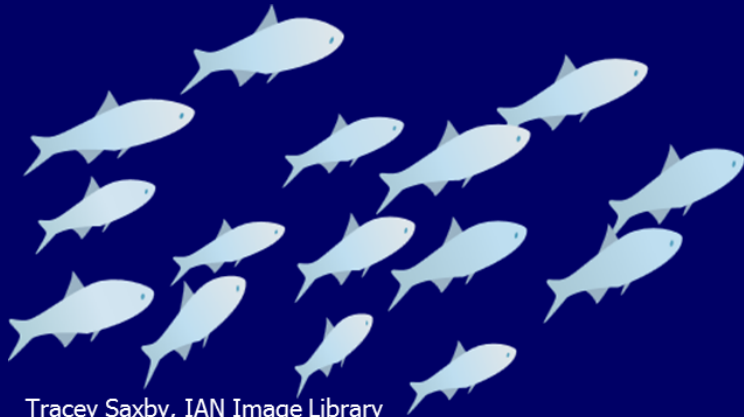
Science Inputs

Updated stock assessment

Can take
months for
these steps!

SSC, PDT, Advisors Meetings

Science and technical, and stakeholder input



Tracey Saxby, IAN Image Library

Public Council Meeting

*Recommends fishery
management measures*

Specifications Implementation Process

Proposed Action

Packaged and analyzed by staff

Staff Submit Specs to NMFS

NMFS reviews; staff edits

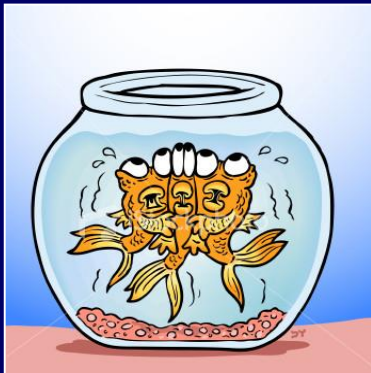
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NMFS Rulemaking

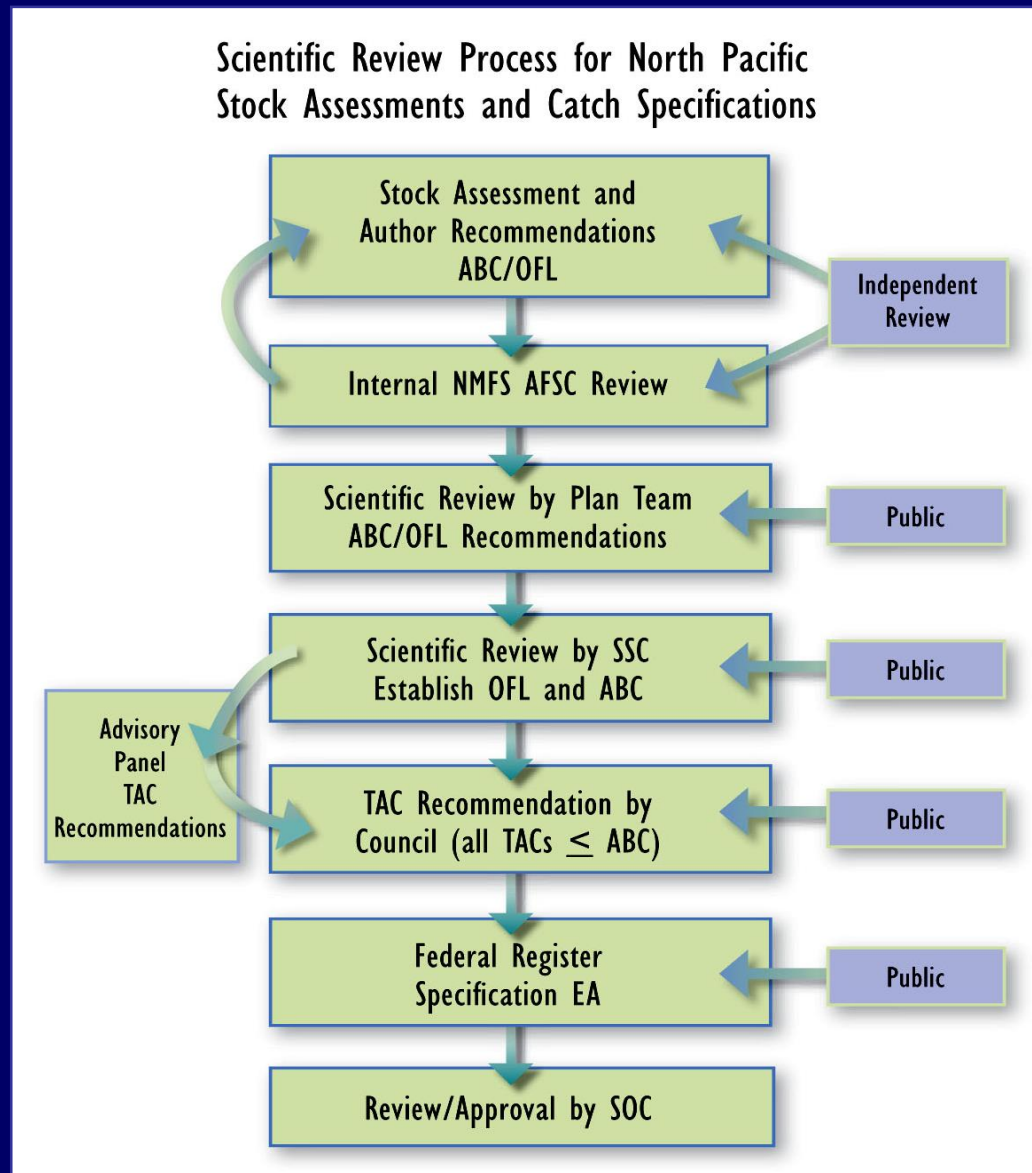
Proposed rule, public comment period

NMFS Final Decision

Implementation



Ex.: NPFMC Quota Setting Process



Specifications

- Cyclical process (often 1-3 yrs.)
- Often takes longer for cooperatively managed species
- Staff from all the agencies (Council, NMFS, Commissions) involved work diligently to make sure all the pieces come together on time



I'm almost
there!



Amendment Process

- May use additional action specific groups
- Also do scoping and public hearings (add. public processes)
- Timelines - typically a min. of 2 years; multi-issue is about 3+ years
- Council's Committees may play important role during development

Amendment Development Process

Problem/Idea identified

Council votes to initiate

Scoping (Under MSA, and/or EIS under NEPA)

Present public with issue, consider possible actions

Council Reviews Scoping Comments

Task PDT with measures to be developed



Council/Committee Meetings

Review measures as developed, send back to PDT for further work

Amendment Development Process

Public Hearing Draft

Council approves and solicits add. public comments

Council/Committee Review Comments

Considers measures relative to comments

Continued Development

PDT works through measures

Presented DEIS

Council considers approval



Amendment Implementation Process

Submit to NMFS

Staff makes final edits/submits

NMFS Rulemaking

Proposed rule, Public comment period

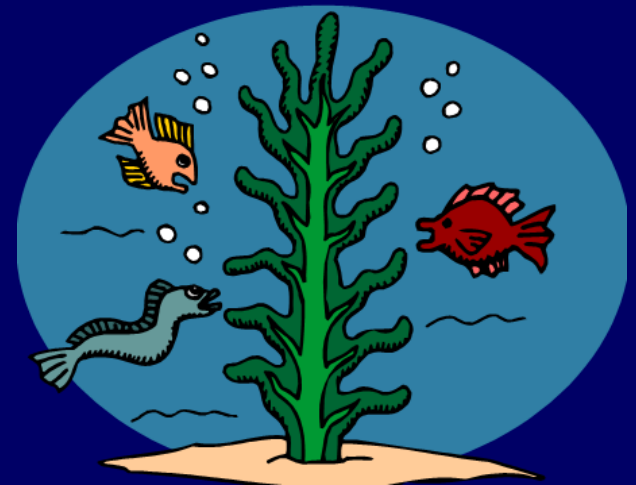
NMFS Final Decision

Implementation



Other Useful Process Tools

- Statement of Organization Practices and Procedures (SOPPs)
- Regional Operating Agreements
- Overall Operational Guidelines



SOPPS

- Describes each Council operations in detail
- All Council's have them; posted online



ROAs

- Describes mutual agreement and working relationships (ex: Mid)
 - MAFMC
 - NMFS's Regional Office
 - NMFS's Fisheries Science Center
 - NMFS's Office of Law Enforcement
 - NOAA's Office of General Counsel (represents NMFS but is actually part of NOAA).

ROAs

- Describes interactions of FMATs/PDTs in support of FMP/MSA actions; other logistics
- Action planning process
- http://www.nmfs.noaa.gov/sfa/laws_policies/operational_guidelines/index.html
- Included as part of overall operational guidelines (already covered)

Questions?

